

**STATE OF RHODE ISLAND  
DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES**

**PUBLIC NOTICE OF PROPOSED RULE-MAKING**

In accordance with Rhode Island General Law (RIGL) 42-35 and 42-72-5, notice is hereby given that the Department of Children, Youth and Families proposes to amend the following DCYF rule:

**EDUCATION OF NON-ADJUDICATED RESIDENTS**

This rule, formerly entitled Education: Screening, Assessment, and Evaluation - Non-Adjudicated Youth, is being amended in compliance with the federal court order relating to RI Training School residents, the accreditation standards of the American Correctional Association (ACA) for Juvenile Training Schools and Juvenile Detention Facilities, the accreditation standards of the Correctional Education Association and the opening of new facilities. The rule is amended to provide comprehensive direction to educational staff on instructional procedures for residents on detention status, including provisions for seeking records from the home school district and school credit. The previous version of this policy, refiled 1/5/07, is superseded by this amended version.

In the amendment of this rule, consideration was given to the following: (1) alternative approaches and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

This amended rule is accessible on the R.I. Secretary of State's website (<http://www.sec.state.ri.us/ProposedRules/>) and the DCYF website (<http://www.dcyf.ri.gov>) or available in hard copy upon request (401-528-3685). Interested persons should submit data, views or written comments by July 26, 2010 to Susan Bowler, Administrator for Families and Children, Department of Children, Youth and Families, 101 Friendship Street, Providence, RI 02903 ([Susan.Bowler@dcyf.ri.gov](mailto:Susan.Bowler@dcyf.ri.gov)).

In accordance with RIGL 42-35-3, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

# **~~Education:~~ Educational Screening, Assessment, Evaluation and Instruction of Non - Adjudicated Residents Youth**

Rhode Island Department of Children, Youth and Families  
Division of Juvenile Correctional Services: Training School

**Policy: 1200.1715**

**Effective Date: June 14, 2004**

**Revised Date:**

**Version: 2**

The Education Program provides educational services for all residents through assigned learning groups. During the entire length of the resident's stay at the Training School, regardless of his/her adjudication status, Education Program staff encourage parent or legal guardian participation. ~~In order to provide those services at levels that are appropriate, non-adjudicated residents receive educational screening, assessment and evaluation that assist educators in planning educational services to~~

- ~~□ Promote, assist, and improve residents' learning;~~
- ~~□ Inform programs for teaching and learning; and~~
- ~~□ Provide data that can be communicated to a range of people about the progress and achievements of individual residents or groups of residents.~~

## **Related Procedure**

**~~Education:~~ Educational Screening, Assessment, Evaluation, and Instruction of Non - Adjudicated Residents Youth**

## **Related Policy**

**Educational Evaluation of Residents**  
**Special Education Services**  
**Compliance with Section 504 of the Rehabilitation Act**

## **~~Education: Educational Screening, Assessment, Evaluation, and Instruction of Non - Adjudicated Residents~~ Youth**

Procedure from Policy 1200.1715: ~~Education: Educational Screening, Assessment, Evaluation and Instruction of Non - Adjudicated Residents Youth~~

- ~~A. The initial intake process will begin immediately after detainment.~~
- ~~B. The process begins with a review of pertinent intake information and an interview with the student.~~
- ~~C. Upon detainment, all students complete reading and mathematics tests.~~
- ~~D. The results of these instruments assist in the screening, assessment, evaluation and educational planning for non-adjudicated youth.~~
- ~~E. Students are assessed for their ability to speak and comprehend English if it appears that they are having difficulty with language communications.~~
- A. Non-adjudicated residents are provided instruction as follows:
  - 1. Each resident is evaluated in conformance with DCYF Policy 1200.1714, Educational Evaluation of Residents. Information gathered is utilized to assign him/her to appropriate learning group.
  - 2. Residents participate in academic and co-curricular subjects.
  - 3. A certified Special Education Teacher provides support in conformance with DCYF Policy 1220.1725, Special Education Services.
  - 4. On the fifteenth day of detention the Education Administration initiates procedures to obtain the resident's record from the school system where the resident last attended.
  - 5. Residents' educational placement and/or services will be adjusted, if necessary, based on the needs identified in the records forwarded by the home school/district.
  - 6. On the 21<sup>st</sup> day and thereafter, detained residents receive educational credit for work which is transferred to the local school/district.
- B. Paragraph A is consistent with Correctional Education Association Standard 43, as well as, American Correctional Association Standards 3-JDF-5C-01 and 3-JDF-5C-02.